

REMARKS

1. Applicant thanks the Office for its generous assistance provided during a telephone interview on February 23, 2011. During said interview, Examiners Mapa and Desir expressed their view that Applicant's proposed amendment did not overcome the pending rejection of the Claims. Applicant proposed further amendment of Claim 34, for example, by including the element "providing sufficient routing codes that recycling of codes is unlikely to be necessary". Again, the Office felt that the proposed amendment did not overcome the pending rejection. Applicant next proposed an amendment describing that sufficient numbers of routing codes are provided that recycling of the routing codes was unnecessary. The Office agreed that such amendment, if supported by the Specification would overcome the pending rejection.

2. CLAIM OBJECTIONS

Claims 7, 9, 17-18, 20, 28-29, 31, 34, 36 and 38 are objected to due to an alleged lack of antecedent basis for the expression "mobile unit". The relevant Claims are amended to omit the offending expression.

Claim 34 is further objected to due to an alleged lack of antecedent basis for the expression "the reply message". Claim 34 is amended to provide the requisite antecedent basis. No new matter is added by the above amendments.

3. 35 U.S.C. § 103

Claims 4, 6-7, 15, 17-18, 21, 26, 28-29 and 34-39 are rejected as being unpatentable over U.S. patent no. 6,134,432 ("Holmes") in view of U.S. patent no. 6,430,604. Applicant respectfully disagrees. Nonetheless, in the interest of advancing prosecution of the Application, Claim 34 is amended as below:

"providing a plurality of reserved routing codes for exchanging messages between senders and mobile devices;

in response to receiving a message from the sender directed to the mobile device, temporarily associating one of the routing codes with the sender, said

associating of said routing code persisting until reassignment of said routing code;

including the temporarily associated routing code in a reply message as a reply address; and

transmitting the reply message with the included temporarily associated routing code to the mobile device;

the method further comprising the steps of:

composing a message for the sender at said mobile device, said message including at least said sender's personal identifier in body of said message;

sending said message to a routing code assigned to an 'unlisted' function on said mobile device;

receiving said message at an instant messaging system;

capturing said sender's personal identifier by said instant messaging system;

temporarily assigning a routing code from said plurality of reserved routing codes to said sender's personal identifier by said instant messaging system, said assigning of said routing code persisting until reassignment of said routing code;

sending said message to said sender; and

returning notice of said assignment to said mobile device".

Support for the amendment is found in U.S. patent application pub. no. 2004/0157586 at least at ¶¶ 0014, 0051 and in the Abstract. Claims 36 and 38 are amended in similar fashion. No new matter is added by the amendment. As the Office has previously noted, Holmes teaches that MSISDN temporarily assigned to those exchanging messages with a user of a mobile device persists only for the life of the message (col. 5, ll. 56-57), whereupon the MSISDN is returned to a pool of MSISDNs. Applicant also notes the Holmes teaches that a number map addressing scheme permanently assigns MSISDNs to client in the system 120. However, there is no teaching or suggestion in Holmes that routing codes may be assigned to users temporarily, but that the assignment persists until the routing code is reassigned. Furthermore, there is no such teaching or

suggestion in Ogle. Thus, the combination contains no teaching or suggestion of temporarily assigning a routing code wherein the assignment persists until the routing code is reassigned. Claims 34, 36 and 38 are therefore deemed allowable over the combination.

In view of their dependence from allowable parent Claims, the dependent Claims are deemed allowable without any separate consideration of their merits.

Claims 9, 20 and 31 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Holmes in view of Ogle and further in view of U.S. patent no. 5,353,340 ("Kunz"). Applicant respectfully disagrees. In view of the foregoing, the present rejection is deemed overcome.

Claims 11, 22 and 33 are rejected as being unpatentable over Holmes in view of Ogle and further in view of Kunz and U.S. patent no. 6,947,396 ("Salmi"). Applicant respectfully disagrees. In view of the foregoing, the present rejection is deemed improper/overcome.

Additional features found in either the independent Claims or the dependent claims are not further discussed because the features discussed above are sufficient to distinguish the Claims from the reference teachings.

The foregoing amendments are made solely for the sake of expediency, in the interest of advancing prosecution of the Application. The same do not indicate Applicant's agreement with the Office's position, nor do they reflect intent to forsake claim scope. In fact, Applicant expressly reserves the right to pursue patent protection of a scope it reasonably believes it is entitled to in future submissions to the Office.

For the record, Applicant respectfully traverses any and all factual assertions in the file that are not supported by documentary evidence. Such include assertions based on findings of inherency, assertions based on official notice, and any other assertions of what is well known or commonly known in the prior art.

CONCLUSION

In view of the foregoing, the Application is deemed in allowable condition. Accordingly, Applicant respectfully requests reconsideration and prompt allowance of the claims. Should the Examiner have any questions regarding the Application, he is invited to contact Applicant's attorney at 650-474-8400.

Respectfully submitted,



Michael A. Glenn
Reg. No. 03,176

Customer No. 22862